

# POL340Y International Law

**Supplementary Materials** 

E. Morgan L. Thacker Academic Year 2000 - 2001

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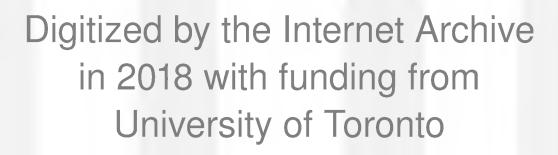
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# POL340Y INTERNATIONAL LAW Academic Year 2000 - 2001 SYLLABUS

# E. MORGAN L. THACKER

## I. Sources of International Law

- Austin, The Province of Jurisprudence Determined, Supp. p.1
- Brierly, The Law of Nations, Supp. p. 2
- Art. 38(1) Statute of the I.C.J., Harris p. 1075

#### A. Treaties

- Fitzmaurice, Harris p. 45
- Nuclear Test Cases, Harris p. 774
- Jus Cogens, Harris p. 835
- Fundamental Change, Harris p. 845
- Fisheries Jurisdiction Case, Harris p. 847

#### B. Custom

- Asylum Case, Harris p. 24
- North Sea Continental Shelf Case, Harris p. 27

# C. General Principles

- Sloan, General Assembly Resolutions Revisited, Harris, p. 58
- Texaco v. Libya, Supp. p. 3

# II. <u>International Legal Process</u>

#### A. Attributes of Statehood

- Art. 1, Montevideo Convention, Harris p. 102
- Note on Aaland Islands Case, Harris p. 103
- Austro German Customs Union Case, Harris p. 105
- Jessup, The Conditions of Statehood, Supp. p. 10
- Island of Palmas Case, Harris p. 190
- Re Nfld. Continental Shelf, Supp. p. 12
- The Arctic, Harris p. 234
- Madzimbamuto v. Lardner-Burke, Supp. p. 17
- Opinions Nos. 1, 8 and 3 of Yugoslavia Commission, Harris p. 123

### B. State Immunity

- The Schooner Exchange, Harris p. 308
- Trendtex v. Central Bank of Nigeria, Harris p. 331
- Govt. of the Dem. Rep. of Congo v. Venne, Supp. p. 34
- Smith v. Canadian Javelin, Supp. p. 36
- State Immunity Act, Supp. p. 39
- Reference re Foreign Legations, Supp. p. 43
- Western Surety v. Elk Valley, Supp. p. 85
- Ferranti-Packard Ltd. v. Cushman, Supp. p. 95
- Princz v. Federal Republic of Germany, Supp. p. 102

## C. Recognition

- Brierly, The Law of Nations, Harris p. 144
- Tinoco Arbitration, Harris p. 160
- Luthor v. Sagor, Harris p. 169
- Laane & Balster v. Estonian State Cargo, Supp. p. 112
- Salimoff v. Standard Oil Co., Supp. p. 116
- Somalia v. Woodhouse, Harris p. 162
- Re Chateau-Gai Wines Ltd., Supp. p. 118

#### D. Self-Determination

- International Covenant on Civil & Political Rights, Harris p. 636
- G.A. Declaration on Colonial Territories, Harris p. 114
- Note, Self-Determination, Supp. p. 119
- Western Sahara Case, Harris p. 115
- S.C. Res. Concerning Southern Rhodesia, Supp. p. 121
- Quebec Reference, Supp. p. 123

#### E. Non-State Entities

- Nanni v. Order of Malta, Harris p. 142
- Reparations Case, Harris p. 132

#### F. Nationality Jurisdiction

- Nationality Decrees in Tunis & Morocco, Supp. p. 130
- The Lotus Case, Harris p. 267
- Nottebohm Case, Harris p. 588
- Barcelona Traction Case, Harris p. 604
- U.S. Diplomatic Staff in Teheran Case, Harris p. 358
- Reference Re U.S. Forces, Supp. p. 131
- Kahane v. Shultz and Meese, Supp. p. 138

#### G. Territorial Jurisdiction

- North Atlantic Fisheries Arbitration, Harris p. 254
- Right of Passage Case, Harris p. 257
- R. v. Keyn, Harris p. 75
- Croft v. Dunphy, Supp. p. 146
- Libman v. The Queen, Supp. p. 151
- Re Straight of Georgia, Supp. p. 164
- Bob-Lo Excursion Co. v. Michigan, Supp. p. 173

#### H. Act of State

- Banco Nacional de Cuba v. Sabbatino, Supp. p. 183
- Dunhill, Inc. v. Republic of Cuba, Supp. p. 189
- Rep. of Iraq v. First Nat. City Bank, Supp. p. 195
- Bernstein v. Van Heyghen Freres Societe Anonyme Supp. 198
- Bernstein v. N.V. Nederlandsche Amerikaansche, Supp. p. 202

#### I. Treaties and the Canadian Constitution

- Treaty Practice, Supp. p. 204
- Labour Conventions Case, Supp. p. 206
- U.S.A. v. Cotroni, Supp. p. 216
- Federal State Clauses, Supp. p. 254
- Vienna Convention: Reservations, Supp. p. 256

#### J. World Court Jurisdiction

- Art. 36, Statute of the I.C.J., Harris p. 1074
- Interhandel Case, Harris p. 1005
- Norwegian Loans Case, Harris p. 1008
- Reservations to I.C.J. Jurisdiction, Supp. p. 258
- Genocide Convention Case, Harris p. 1030
- Aerial Incident at Lockerbie Case, Harris p. 1040

## III. <u>Substantive International Law</u>

#### A. Use of Force

- Nicaragua Case, Harris p. 866
- Excerpts from publicists: Brownlie, Supp. p. 260
- Franck, Supp. p. 262
- Henkin, Supp. p. 270
- Reisman, Supp. p. 275D'Amato, Supp. p. 279
- The Entebbe Incident, Harris p. 909
- Committee of U.S. Citizens in Nicaragua v. Reagan, Supp. p. 282

# B. State Responsibility and Reparations

- I.L.C. Draft Articles on State Responsibility, Harris p. 485
- I.L.C. Draft Articles, Harris p. 487
- Home Missionary Claim, Harris p. 491
- Corfu Channel Case, Harris p. 494
- Zafiro Claim, Harris p. 509
- I.L.C. Draft Articles, Harris p. 511
- Chorzow Factory Case, Harris p. 514

### C. Human Rights

- The Paquete Habana, Supp. p. 307
- Filartiga v. Pena-Irala, Harris p. 731
- Al Adsani v. Govt. of Kuwait, Harris p. 734
- Pope Case, Harris p. 533
- Roberts Claim, Harris p. 535
- Sunday Times Case, Supp. p. 312
- Belgian Linguistic Case, Supp. p. 317
- Ng v. Canada, Harris p. 656
- Y.L. v. Canada, Harris p. 670
- Lovelace v. Canada, Harris p. 684
- International Covenant on Civil and Political Rights, Harris p. 636
- International Covenant on Economic, Social and Cultural Rights, Harris p. 689

#### D. War Crimes

- Judgment of Nuremburg Tribunal, Harris p. 738
- A.G. of Israel v. Eichmann, Harris, p. 280
- Prosecutor v. Tadic, Harris p. 753
- The Queen v. Finta, Supp. p. 320

#### E. Law of the Sea

- Note on the Convention of Law of the Sea 1982, Harris p. 369
- Anglo-Norwegian Fisheries Case, Harris p. 375
- R. v. Anderson, Harris p. 415
- The I'm Alone, Harris p. 437
- U.S. v. Caicedo, Supp. p. 353



